REMARKS

Claims 1-16 are pending in the application. Claims 1-16 are rejected.

Claims 1-9 and 11-15 were rejected under 35 U.S.C. § 102(e) as being anticipated by Rajahalme (U.S. Patent Application Publication No. 2004/0141603).

Claims 10 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rajahalme in view of Luke et al. (U.S. Patent Application Publication No. 2004/0133634).

The rejection of claims 1-16 is being herein respectfully traversed for at least the following reasons:

Regarding claims 1-9 and 11-15:

It is respectfully submitted that each and every feature in the rejected claims 1-9 and 11-15, as pointed to in the office action could not be found in Rajahalme. Clarification is requested for specific elements as cited in the rejected claims as they could not be found in the portions referenced to in the Office Action.

With regard to independent claim 1, it is respectfully submitted Rajahalme fails to disclose in Fig. 1 and paragraph 0041 "means for determining a destination server to be connected based on the identifying information."

The identifying information recited in claim 1 includes information specific to a mobile IP terminal extracted from a packet.

Paragraph 41 only states a routing means which routes to the CN but states nothing concerning based on information specific to a mobile IP terminal.

Element 5 (access router) as disclosed in Rajahalme is not identical to the load balancer recited in claim 1.

Rajahalme's invention is to make a CA (Correspondent Agent) represent the servers in performing the mobile IP function.

Rajahalme's CA is not intended to provide nor does Rajahalme even teach a specific distribution function for load balancing the servers (e.g. to determine a specific server by identifying from which MN the packet has been transmitted, so that the packet is distributed to the server) as claimed by applicant for load balancing the servers.

Rajahalme teaches a route optimization for performing a direct location registration from a MN (Mobile Node) to a CN (Correspondent Node) in a mobile IP system. A CA represents a plurality of CNs (indicated as servers S1, S2, ..., Sn in Fig. 1) as an agent for solely representing the CNs for processing related to the mobile IP such as location registration, authentication and address replacement between a care-of address and a home address for a packet. Accordingly, the servers need not have a mobile IP function.

Rajahalme discloses that between the MN and the server, the MN communicates with a specific server preliminarily selected as a correspondent. Therefore, although the CA performs address replacement for a packet, this is not for a server distribution but for making the server unconscious of the mobile IP. Therefore, a packet transfer to the server is performed by an ordinary IP routing merely based on a destination address (an address of a server).

In contrast applicant's claims recite means for determining a destination server to be connected based on the identifying information.

The identifying information includes information specific to a mobile IP terminal extracted from a packet.

Regarding claim 2 depending from claim 1, Rajahalme fails to disclose in paragraph 0034 "destination option header" as claimed in claim 2.

Regarding claim 3 depending from claim 1, Rajahalme discloses in paragraph 0023 that destination address is used to select the destination server. This is different from claim 3 where source address is used.

Regarding claim 4 depending from claim 1, Rajahalme fails to disclose in paragraph 0020 "security parameter index" as claimed in claim 4.

Regarding claims 5-9 and 14-15, Rajahalme fails to disclose respective features as claimed.

Regarding independent claims 12 and 13, Rajahalme fails to disclose respective features as claimed since Rajahalme's access router (element 5) is not a load balancer. Also, Rajahalme fails to disclose that messages are exchanged between a HA (home agent) and an access router 5 (or corresponding agent CA 6).

Accordingly, claims 1-9 and 11-15 are patentably distinguishable over Rajahelme under 35 U.S.C. § 102(e).

Regarding claims 10 and 16:

Luke et al. discloses a switching system receiving requests from numerous clients on a network and returning data requested from among a plurality of data storage elements. Centering on a high speed switch fabric, the input side deals with a plurality of lines (10/100 Mb Ethernet, 1Gb Ethernet, etc.) and is provided with acceleration functions (Content-aware Switching, TCP Hardware acceleration, etc.). The storage side deals with a plurality of inter storage interfaces (SCSI, Fibre Channel, InfiniBand, etc.).

Luke et al. is strictly for enhancing speed for distribution to storage within a single switch, therefore the distribution of processing to a plurality of servers as considered in the

claimed invention is not taken into account by Luke et al. Also, Luke et al. fails to consider that the client is a mobile IP terminal.

Claims 10 and 16 are also patentable at least because of their direct dependency from independent claims 5 and 6, respectively.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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